

1 Jeffrey H. Wood
2 Acting Assistant Attorney General
3 U.S. Department of Justice
4 Environment and Natural Resources Division

5 JOHN S.MOST
6 Trial Attorney
7 Natural Resources Section
8 P.O. Box 7611 Washington, DC 20044
9 202-616-3353; Fax 202-305-0506

10 *Counsel for Federal Defendants*

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE DISTRICT OF NEVADA**

13 CENTER FOR BIOLOGICAL
14 DIVERSITY, and SIERRA CLUB

15 Plaintiffs,

16 v.

17 U.S. BUREAU OF LAND
18 MANAGEMENT; RYAN ZINKE, in his
19 capacity as Secretary of the Department of
20 the Interior; and BRIAN STEED, in his
21 capacity as Acting Director of the Bureau of
22 Land Management,

23 Defendants.

Case No. 3:17-cv-00553

**JOINT STIPULATION EXTENDING
REMAINING BRIEFING DEADLINES 30
DAYS (THIRD REQUEST FOR
EXTENSION)**

24 Having conferred, and for good cause shown, counsel for the Parties in this case jointly
25 propose and stipulate to the extend the remaining briefing deadlines by 30 days, and request that the
26 Court adopt an order of same, pursuant to Rule 6(b)(1)(A).

27 This is the third extension of time to file briefs in this case. On March 30, 2018, parties filed
28 a Revised Case Management Statement extending the time for Defendants to lodge the
administrative record, and all other briefing deadlines consequentially. Revised Case Management
Statement, ECF No. 23. On May 14, 2018, parties filed a Further Revised Case Management
Statement to allow time for Defendants to lodge a supplement to the administrative record, and

1 extending all other briefing deadlines consequentially. Further Revised Case Management
2 Statement, ECF No. 37.

3 On May 23, 2018, this Court entered an order adopting the Parties' revised joint case
4 management schedule. Scheduling Order, ECF No. 42. In accordance with the Scheduling Order
5 Defendants lodged the administrative record, and Plaintiffs filed their opening brief in support of
6 summary judgment on June 22, 2018. Pursuant to the Scheduling Order Federal Defendants' cross-
7 motion for summary judgment and combined response brief is due July 23, 2018.

8 This case was originally assigned to Department of Justice attorney Michelle-Ann Williams.
9 Shortly after Plaintiffs filed their brief, Ms. Williams delivered a baby in advance of her expected
10 due date, and has been on maternity leave. Thus, she has been unavailable to complete briefing on
11 this case.

12 The case was subsequently reassigned to Department of Justice attorney, Jason A. Hill, on
13 July 5, 2018, while he was out on vacation for the Independence Day Holiday. Subsequent to
14 returning to the work on July 9, 2018, and receiving the assignment of this case, Mr. Hill accepted a
15 new position, and is leaving the Department of Justice effective August 4, 2018. To further
16 complicate the matter, Mr. Hill is also assigned to *Weil Group Resources, LLC v. Burton, et al.*, in
17 the Northern District of Texas, Amarillo Division (Case No. 2:18-cv-130-D), which has been subject
18 to expedited briefing and hearings on a temporary restraining order in the past week. In addition,
19 Mr. Hill has a July 20, 2018 briefing deadline in *Continental Resources, Inc. v. Zinke*, in the District
20 Court of the District of Columbia (Case. No. 1:17-cv-2197-RDM). Thus, aside from his anticipated
21 departure, Mr. Hill has been unavailable to work on this case due to the briefing demands of his
22 other cases.

23 Federal Defendants promptly contacted Plaintiffs' counsel concerning an extension on July 9,
24 2018. Since that time the Parties have worked towards this joint resolution. Subsequent to initiating
25 those discussions, and due to these above-mentioned recent departures, the case has subsequently
26 been reassigned to Luther L. Hajek and John Most, but due to briefing deadlines in their other cases,
27 they are unavailable to work on this case until after July 23, 2018.

28 Having conferred on the above matters, and there being good cause for said extension of the
3:17-cv-00553-LRH-WGC
JOINT STIPULATION EXTENDING REMAINING BRIEFING DEADLINES (THIRD REQUEST FOR
EXTENSION)

1 remaining briefing deadlines, Plaintiffs consent to Defendants' request for a a 30 day extension of all
2 remaining briefing deadlines. Further, Federal Defendants agree to provide Plaintiffs notice within
3 14 days of any ground disturbing activities or over the counter lease sales of parcels in this case until
4 the final brief is filed in this case on October 3, 2018.

5 **BRIEFING DEADLINES**

6 The Parties agree to the following deadlines:

- 7 1. Federal Defendants shall file their cross-motion for summary judgment and combined
8 response brief in opposition to Plaintiffs' motion for summary judgment on or before **August**
9 **22, 2018**, not to exceed 40 pages;
- 10 2. Plaintiffs shall file their reply in support of their motion for summary judgment and
11 opposition to Federal Defendants' cross-motion for summary judgment on or before
12 **September 12, 2018**, not to exceed 30 pages;
- 13 3. Federal Defendants shall file their reply in support of their cross-motion for summary
14 judgment on or before **October 3, 2018**, not to exceed 30 pages;
- 15 4. Plaintiffs do not consent to the case being resolved by a magistrate judge.

16
17 DATED: July 18, 2018

Respectfully submitted,

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19 /s/
JULIE CAVANAUGH-BILL (NV Bar No. 11533)
20 Cavanaugh-Bill Law Offices, LLC
21 Henderson Bank Building
22 401 Railroad Street, Suite 307
23 Elko, Nevada 89801
Tel: (775)753-4357
Email: Julie@cblawoffices.org

24
25 
26 CLARE LAKEWOOD (CA Bar No. 298479),
27 *pro hac vice*
MICHAEL SAUL (CO Bar No. 30143),
28 *pro hac vice*
VICTORIA BOGDAN TEJEDA (CA Bar No.

317132), *pro hac vice*
Center for Biological Diversity
1212 Broadway, Suite 800
Oakland, CA 94612
Phone: (510) 844-7121
Facsimile: (510) 844-7150
Email: clakewood@biologicaldiversity.org
msaul@biologicaldiversity.org
*Attorneys for Plaintiffs Center for Biological
Diversity and Sierra Club*

STEVEN W. MYHRE
Acting United States Attorney
District of Nevada
HOLLY A. VANCE
Assistant United States Attorney
JEFFREY H. WOOD
Acting Assistant Attorney General

/s/ Luther L. Hajek
LUTHER L. HAJEK
Trial Attorney
999 18th St., South Terrace, Suite 370
Denver, CO 80202
Telephone: 303-844-1376
Fax: 303-844-1350
Email: luke.hajek@usdoj.gov
JOHN S. MOST
Trial Attorney
U.S. Department of Justice
Environment & Natural Resources Division
Natural Resources Section
Ben Franklin Station, P.O. Box 7611
Washington, D.C. 20044-7611
Telephone: (202) 616-3353
Fax: (202) 305-0506
Email: john.most@usdoj.gov
Attorneys for Federal Defendants

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE
Date: July 20, 2018